

The Environmental Law Section of the State Bar of California
presents the

Eighth Annual SPRING ROUNDTABLES

featuring the
**ROUNDTABLE ON CONTAMINATED SITES and
LAND USE LAW AND POLICY ROUNDTABLE**

May 2 – 4, 2003

**Catamaran Resort, Mission Bay
San Diego, California**

Earn Up To 8.5 Hours MCLE Credit

*The State Bar of California and the Environmental Law Section are
State Bar of California approved MCLE providers.*

SCHEDULE OF EVENTS

FRIDAY, MAY 2, 2003

- 1:30–2:45** **Registration**
- 2:45–3:15** **Welcome and Introductions**
Richard Frank, Chair, Environmental Law Section
Gregory Trimarche, Contaminated Site Roundtable Program Chair
Richard Crabtree, Land Use Law and Policy Roundtable Program Chair
- 3:15–4:00** **(1 Hour MCLE Credit)**
Plenary Session: The San Diego River Conservancy: A Local Perspective on Land Use Planning and Habitat Preservation
Speaker: **Michael Beck**, Chairperson, San Diego River Parkway Foundation and Lakeside Conservancy
- 4:00–5:30** **(1.5 Hour MCLE Credit)**
Contaminated Sites Roundtable Topic 1: New State and Federal Brownfield Initiatives
Moderator: **Steve Koyasako**, DTSC, Assistant Chief Counsel
- a. SB 32 – What does it mean, what does it do?
 - b. CLEAN, FAIR, and other California programs – Budget casualties or not?
 - c. What effect have the new BRERA amendments to CERCLA had on Brownfield projects?
 - d. EPA's proposed rule: "all appropriate inquiry" standard for pre-purchase due diligence
- Land Use Roundtable Topic 1: Wetlands Mitigation**
Moderators: **Anne Mudge and David Ivester**, Stoel Rives
- a. Recent Developments in Federal Wetlands Regulation
 - b. Recent Development in State Wetlands Regulation
- 6:00–8:00** **Sunset Reception**

SATURDAY, MAY 3, 2003

- 8:30–9:00 a.m.** **Continental Breakfast and MCLE Sign In**
- 9:00–10:30 a.m.** **(1.5 Hour MCLE Credit)**
Contaminated Sites Roundtable Topic 2: Brownfields in Redevelopment Areas
Moderator: **Richard Oppen**, Foley & Lardner
- a. The Polanco Act as a Brownfield tool
 - b. Cost recovery rights under Polanco – *Salvation Army*
 - c. Other redevelopment law issues: tax increment funding, OPAs, condemnation, etc.
 - d. Other project considerations: procedural requirements, environmental risk management

**Land Use Roundtable Topic 2: Land Use and Water:
If you Build It, Will Water Come?**

Moderator: Kristen Castanos, Somach Simmons & Dunn

- a. New statutes governing growth and water supply
- b. Policy concerns in linking growth to water availability

10:30–10:45 **Break**

10:45–12:15 p.m. **(1.5 Hour MCLE Credit)**

**Contaminated Sites Roundtable Topic 3: Recent
Litigation Developments**

Moderator: Lisa Bond, Richards Watson & Gershon

- a. City of *Lodi*-CERCLA preemption of local ordinances
- b. *Shell Oil* - scope of arranger liability under CERCLA.
- c. *Cadillac Fairview* - arranger liability and allocation
- d. *Carson Harbor Village* post-script – What does it really mean?
- e. Coverage litigation under environmental insurance policies

**Land Use Roundtable Topic 3: California Coast Commission:
Life after death?**

Moderators: Jamee Jordan Patterson and John Saurenman,
Supervising Deputies Atty. General

- a. Coastal access issues in California
- b. Future of the California Coastal Commission

6:00–8:00 **Sunset Reception**

SUNDAY, MAY 4, 2003

8:30–9:00 a.m. **Continental Breakfast and MCLE Sign In**

9:00–10:00 **Plenary Session: Cross-Border Environmental Enforcement**

Speaker: Jorge Escobar Martinez, Director de Ecología del Estado
de Baja de California

10:00–11:30 a.m. **(1.5 Hour MCLE Credit)**

**Contaminated Sites Roundtable Topic 4: Pulling it all together –
the Art of the Deal**

Moderator: Craig Moyer, Manatt Phelps & Phillips

- a. In-fill Developers – The New Brownfield Developers
- b. Insurance Update – Who is writing the best policies today?
- c. Venture Funds and other investors – any real players left?
- d. The Cleanup Firms – Can they really do anything more than cleanups?

Land Use Roundtable Topic 4: CEQA Update

Moderator: Tamara S. Galanter, Shute Mihaly & Wienberger

- a. Status of the CEQA Guidelines – *CBE v. Cal. Resources Agency*
- b. New case law and statutory changes

Conference Adjourns

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**ROUNDTABLE ON CONTAMINATED SITES and
LAND USE LAW AND POLICY ROUNDTABLE**

The Environmental Law Section of the State Bar of California offers its 2003 Spring Roundtables, featuring the Eighth Annual Roundtable on Contaminated Sites and the Sixth Annual Land Use Law and Policy Roundtable.

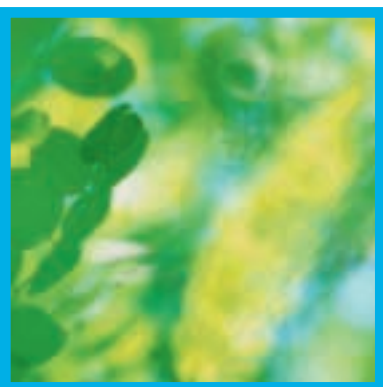
This year's Roundtable on Contaminated Sites will address new state and federal legislation and Brownfield initiatives at EPA and DTSC, Brownfield strategies for redevelopment areas, recent litigation developments, and the latest strategies to capture the "art of the deal" in the Brownfield industry.

The Land Use Law and Policy Roundtable will focus on wetlands mitigation, the linkage between growth and water supply, the recent controversy surrounding the California Coastal Commission and coastal access issues, and recent developments in CEQA.

The Roundtables are aimed at experienced attorneys with significant expertise (i.e., five or more years of practice) in the area of contaminated sites, land use, or natural resources law. Each of the roundtable programs will be limited to approximately 35 - 40 attendees, and will be structured entirely as an interactive discussion. Each attendee will be expected to make significant contributions to the roundtable discussions, including at least ten to fifteen minutes of personal commentary on program topics.

In addition to the concurrent roundtable programs, plenary sessions will feature topics of broad appeal, including a presentation by Michael Beck, Chairperson of the San Diego River Parkway Foundation and Lakeside Conservancy, on local land use planning and habitat preservation in the San Diego area.

For more information, contact section Meeting & Event Administrator, Jayna Blackwell, CMP at (415) 538-2585 or by E-mail at Jayna.Blackwell@calbar.ca.gov



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PROGRAM REGISTRATION FORM – 2003 ENVIRONMENTAL LAW SPRING ROUNDTABLES

Please use a separate form for each registrant.

Name _____ Bar Number _____

Firm Name _____

Address _____

City, State, Zip _____

Phone Number (_____) _____ Fax Number (_____) _____

E-Mail Address _____ Years of Practice (total): _____

Roundtable Discussion (check which topic group you will attend)

1. ☐ Contaminated Sites Roundtable
2. ☐ Land Use & Policy Roundtable

Registration Fees (check appropriate box): Registration fee includes program materials, Friday and Saturday cocktail receptions and Saturday and Sunday Continental Breakfasts

- ☐ \$295 Environmental Law Section Members
- ☐ \$355 Non-Members
- ☐ Please credit \$60 of my \$335 Non-Member registration fee to join the environmental Law Section (Membership until 12/31/02)

Registration fee may be paid by check, money order, or credit card (VISA and MasterCard only).

Please make checks or money orders payable to the State Bar of California.

Amount Enclosed or To Be Charged _____

Credit Card Payment

I authorize the State Bar of California to use my credit card for the registration fee for the Environmental Law Section Program June 7-9, 2002.

☐ VISA ☐ MasterCard

Account Number _____ Exp. Date _____

Cardholder's Name _____

Cardholder's Signature _____

REGISTRATION INFORMATION

REGISTRATION: Advance registration deadline: April 25, 2003

Registration fees are \$295 for members of the Environmental Law Section and \$355 for non-members. Your registration fee includes the education sessions, program materials, Saturday and Sunday continental breakfasts, Friday and Saturday evening receptions. The non-member registration fee also includes complimentary enrollment in the Environmental Law Section. Please return the Program Registration form to:

Program Registrations, State Bar of California, 180 Howard Street, San Francisco, CA 94105

Ph: (415) 538-2508 Fax: (415) 538-2368

REGISTRATION INFORMATION: For registration information, please call Program Registrations at (415) 538-2508.

PROGRAM CONTENT INFORMATION For program content information, please call Environmental Law Section (415) 538-2582.

SPECIAL ASSISTANCE: If you require special assistance, please call (415) 538-2585.

CANCELLATIONS: A refund (less a non-refundable fee of \$50) will be made for all registration and/or ticket cancellations received in writing by April 25, 2003. No refunds will be made for cancellations after that date.

HOTEL RESERVATIONS: Each registrant is responsible for his or her own hotel reservation. A block of rooms has been reserved at the Catamaran Resort at the group rate of \$189 single or double occupancy per night plus tax. To make reservations, please contact the hotel directly at (858) 539-8700 by the April 2, 2003 deadline. One night's deposit (check or credit card) is required to guarantee your room. Be sure to identify yourself as part of the State Bar of California Environmental Law Spring Roundtables to confirm the special group rate. Reservations made after the April 2, 2003 deadline will be accommodated on a space available basis at the group rate.

AIRLINE RESERVATIONS: The State Bar of California has a discount program with United Airlines. To make reservations or for additional information, please call the United Group Meeting desk at (800) 521-4041 and refer to the group file number 550QX.